

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAVID WEBSTER, ANNA SHIN, and ANDREW
BERGH, on behalf of themselves and all others
similarly situated,

Plaintiffs,

-against-

SMITHFIELD ASSOCIATES LLC d/b/a PASTIS
RESTAURANT, WINDY GATES, SOHO, INC.
d/b/a BALTHAZAR RESTAURANT, and KEITH
MCNALLY,

Defendants.

Index No.: 08 CV 0166 (LTS)

**DEFENDANTS' CERTIFICATE
PURSUANT TO RULE 7.1
OF THE FEDERAL RULES OF
CIVIL PROCEDURE**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable the Judges and Magistrates of this Court to evaluate possible disqualification or recusal, Defendants sued herein as "Smithfield Associates LLC d/b/a Pastis Restaurant" and "Windy Gates, Soho, Inc. d/b/a Balthazar Restaurant" by their undersigned counsel, hereby certify that each is a privately-held corporation with no parents or publicly held corporations that own ten percent (10%) or more of their stock.

Dated: New York, New York
May 13, 2008

Respectfully submitted,

JACKSON LEWIS LLP
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By: 

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